

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION

Michael M. Anderson,

Plaintiff,

v.

Graybar Electric Company, Inc.,

Defendant.

Case No. 0:09-cv-00251 MJD/FLN

**AFFIDAVIT OF
JACQUELINE A. MRACHEK**

STATE OF MINNESOTA)
)
) ss.
COUNTY OF HENNEPIN)

Jacqueline A. Mrachek, being first duly sworn on oath, states as follows:

1. I am a shareholder at the law firm of Halleland Lewis Nilan & Johnson, P.A., counsel to Defendant Graybar Electric Company, Inc.
2. I hereby certify that I have, in good faith, conferred or attempted to confer with Plaintiff's counsel in an effort to resolve this matter without Court action, pursuant to Local Rule 37.1.
3. Attached hereto as Exhibit A is a true and correct copy of an excerpt from the deposition transcript of Gary LeTendre.
4. Attached hereto as Exhibit B is a true and correct copy of an excerpt from the deposition transcript of Lisa Matuska.
5. Attached hereto as Exhibit C is a true and correct copy of an excerpt from the deposition transcript of Rick Schroeder.

6. Attached hereto as Exhibit D is a true and correct copy of an excerpt from the deposition transcript of Kevin Joos.

7. Attached hereto as Exhibit E is a true and correct copy of an excerpt from the deposition transcript of Michael Anderson.

8. Attached hereto as Exhibit F is a true and correct copy of Defendant's Rule 26(a)(1) Disclosures.

9. Attached hereto as Exhibit G is a true and correct copy of Plaintiff's Rule 26(a)(1) Disclosures.

10. Attached hereto as Exhibit H is a true and correct copy of Defendant's Responses to Plaintiff's Interrogatories (Set I).

11. Attached hereto as Exhibit I is a true and correct copy of Defendant's Responses to Plaintiff's Request for Documents (Set I) and Defendant's Amended Responses to Plaintiff's Request for Production of Documents (Set I).

12. Attached hereto as Exhibit J is a true and correct copy of Notice of Taking Deposition of Michael M. Anderson.

13. Attached hereto as Exhibit K is a true and correct copy of an email dated September 25, 2009, from Plaintiff's counsel noticing the deposition of Cindy Paschke.

14. Attached hereto as Exhibit L is a true and correct copy of an email dated September 25, 2009, from Plaintiff's counsel noticing the deposition of Jamie Phillips.

15. Attached hereto as Exhibit M is a true and correct copy of an email dated September 25, 2009, from Plaintiff's counsel noticing the deposition of Reyne Boik.

16. Attached hereto as Exhibit N is a true and correct copy of an email dated September 25, 2009, from Plaintiff's counsel noticing the deposition of Beverly Propst.

17. Attached hereto as Exhibit O is a true and correct copy of an email dated September 25, 2009, from Plaintiff's counsel noticing the Rule 30(b)(6) deposition.

18. Attached hereto as Exhibit P is a true and correct copy of a letter dated September 25, 2009, from Defendant to Plaintiff.

19. Attached hereto as Exhibit Q is a true and correct copy of an e-mail dated September 26, 2009, from Plaintiff's counsel.

20. Attached hereto as Exhibit R is a true and correct copy of a facsimile dated September 28, 2009, from Plaintiff's counsel noticing the deposition of Elmar Mazurs.

Further your affiant sayeth not.

s/Jacqueline A. Mrachek
Jacqueline A. Mrachek

Subscribed to and sworn to before me
this 15th day of October, 2009.

s/Mari Johnson
Notary Public

My commission expires January 31, 2010.